

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Let Them Play MN, Jane Doe 1, both individually and as parent and guardian of Jane Doe 2 and John Moe 3, minors, John Moe 4, as parent and guardian of John Moe 5, a minor, Jane Doe 6, Jane Doe 7, as parent and legal guardian of John Moe 8 and Jane Doe 9, minors,)	Case No. 0:21-cv-00079- NEB-DTS
Plaintiffs,)	
vs.)	
Governor Tim Walz, in his official capacity, Attorney General Keith Ellison, in his official capacity, Commissioner Jan Malcolm, in her official capacity, Minnesota Department of Health, Commissioner Tarek Tomes, in his official capacity as designated coordinator of youth sports for the Administration of Governor Tim Walz,)	PLAINTIFFS' OBJECTION TO DEFENDANTS' NOTICE TO THE COURT
Defendants.)	

Plaintiffs object to the Notice to the Court of Related Case filed by Defendants' counsel. (ECF 5.) The claims and allegations in this action are materially different than closed Case No. 20-cv-2505. Moreover, Plaintiffs are currently legally adverse to Chief Judge John R. Tunheim's spouse, Kathy Tunheim and Ms. Tunheim's firm, Tunheim Partners, Inc. (collectively, "Tunheim") as a result of requests for public data served by Plaintiffs on Tunheim pursuant to the Minnesota Government Data Practices Act

(“MGDPA”), Minnesota Statutes Chapter 13. Defendant Governor Tim Walz is aware of this adversity because of similar MGDPA requests related to Tunheim served on his office.

Neither Governor Walz nor Tunheim has responded to these requests. Plaintiffs’ MGDPA requests seek, without limitation, public data and documents from Tunheim and Governor Walz regarding their joint work together on communications and public promotion of Governor Walz’s executive orders and other matters raised in, or relevant to, this action. (*See, e.g.*, ECF 1 Complaint ¶¶62-63.) For these reasons, together with the arguments and evidence cited in the Petition for Writ of Mandamus filed by the undersigned with the Eighth Circuit Court of Appeals on December 28, 2020 (8th Cir. Case No. 20-3696) this action should not be assigned to Judge Tunheim.

Dated: January 11, 2020

CROSSCASTLE, P.A.

By: s/ Samuel W. Diehl
Samuel W. Diehl (#388371)
Ryan D. Wilson (#400797)
333 Washington Avenue N.
Ste 300-9078
Minneapolis, MN 55401
P: (612) 412-4175
F: (612) 234-4766
Email: sam.diehl@crosscastle.com
ryan.wilson@crosscastle.com

ATTORNEYS FOR PLAINTIFFS